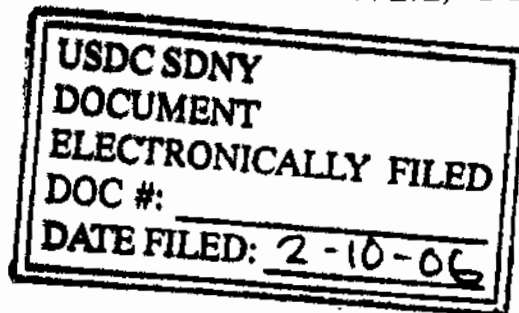


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MEMO ENDORSED

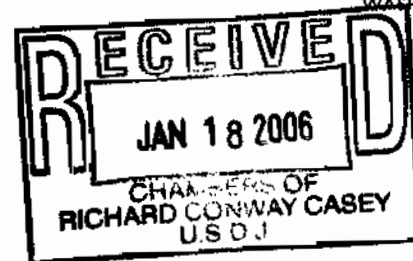
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January 17, 2006

BY HAND

The Honorable Richard C. Casey
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1350
New York, NY 10007-1312



**Re: Enron Power Marketing, Inc. v. Public Utility
District No. 1 of Snohomish County,
05 Civ. 2710 (RCC)**

Dear Judge Casey:

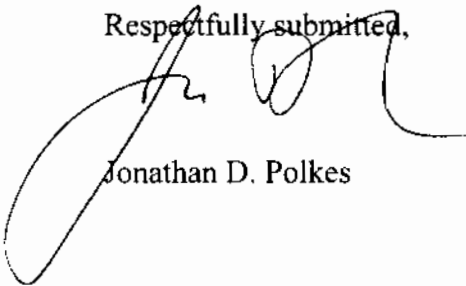
We represent Plaintiff-Appellee Enron Power Marketing, Inc. ("EPMI") in the above-referenced action, which is an appeal (the "Appeal") from an order issued on January 14, 2005, by the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") in the adversary proceeding (the "Adversary Proceeding") between EPMI and Defendant-Appellant Public Utility District No. 1 of Snohomish County, Washington ("Snohomish"). The parties respectfully request that the Court stay its consideration of the Appeal in light of the recent withdrawal of the reference of certain aspects of the case from the Bankruptcy Court to the United States District Court for the Southern District of New York (the "District Court").

On November 23, 2005, EPMI filed a motion to withdraw, in part, the reference of the Adversary Proceeding to the Bankruptcy Court (the "Motion"), so that the District Court could consider issues arising from the passage of Section 1290 of the Energy Policy Act of 2005 (the "Cantwell Amendment Issues"). The Motion is pending before Judge Loretta A. Preska of the District Court. Snohomish has by stipulation agreed to such withdrawal of the reference (a copy of which is attached hereto).

The Honorable Richard C. Casey
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Page 2

Counsel for the parties jointly request that Your Honor stay all further proceedings in the Appeal until after such time that the parties advise the Court that the Cantwell Amendment Issues have been resolved.

Respectfully submitted,


Jonathan D. Polkes

JDP:hp
Enclosure

cc (w/Enclosure):

Michael Goldfarb, Esq. (via e-mail and Federal Express)
Philippe Zimmerman, Esq. (via e-mail and hand delivery)
*Counsel for Public Utility No. 1
of Snohomish County*

Application Granted
The Court will stay its
consideration of the appeal
until ~~the parties advise the~~ the
"Cantwell Amendment Issues"
are resolved.

It is so ordered: Feb 10, 2006